

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

BILL MAX OVERTON,)	
)	
Plaintiff,)	
vs.)	NO. CIV-11-732-HE
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER


Plaintiff, appearing *pro se*, filed this action regarding his federal tax liabilities and sought leave to proceed *in forma pauperis* (“*ifp*”). Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Gary M. Purcell. Because plaintiff failed to submit the affidavit required by 28 U.S.C. § 1915(a)(1), the magistrate judge recommended that plaintiff’s motion for leave to proceed *in forma pauperis* be denied unless he filed a properly supported *ifp* application or paid the full filing fee within twenty days.

The plaintiff neither supplemented his *ifp* application nor paid the filing fee. He also failed to object to the Report and Recommendation, thereby waiving his right to appellate review of the issue it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1)(C).

Accordingly, the court adopts the Report and Recommendation of Magistrate Judge Gary M. Purcell and dismisses this action without prejudice. In light of plaintiff’s litigation history as described in the Report and Recommendation, the court enjoins Mr. Overton from filing any further lawsuits in the Western District of Oklahoma in which he seeks *ifp* status without first obtaining permission of the Chief Judge.

IT IS SO ORDERED.

Dated this 19th day of August, 2011.



JOE HEATON
UNITED STATES DISTRICT JUDGE